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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 018547-048200US

First Inventor

Fodor, Stephen P A

Title

APPARATUS COMPRISING POLYMERS

HAND DELIVERY

December 14, 2001

APPLICATION ELEMENTS

See MPEP chapter 600 concerning design patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification (copy from parent application ☐
07/805,727 [Total Pages 143]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 42]
5. Oath or Declaration [Total Pages 6]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper number of pages 36
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☒ Other:
Communication Under § 1.821(e)
Substitute Specification
Marked-up Version of Substitute Specification
Request for Entry of Substitute Specification under 37 CFR § 1.125(b)

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No 08 / 348,471

Prior application information: Examiner P. Ponnaluri

Group Art Unit: 1627

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

20350

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name (Print/Type)

Hugh Wang

Registration No. (Attorney/Agent)

47,163

Signature

Date

December 12, 2001

CERTIFICATE OF HAND DELIVERY

Typed or printed name

Annette Masiello

Signature

Date

Dec. 14, 2001

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jc564 U.S. PTO
10/014716

12/14/01

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

| | |
|----------------------|---------------------|
| Application Number | Unassigned |
| Filing Date | December 14, 2001 |
| First Named Inventor | Fodor, Stephen P.A. |
| Examiner Name | Unassigned |
| Group Art Unit | Unassigned |
| Attorney Docket No. | 018547-048200US |

TOTAL AMOUNT OF PAYMENT (\$) 908**METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|----------|
| 101 | 740 | 201 | 370 | Utility filing fee | 740 |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |

SUBTOTAL (1)

(\$740)

2. EXTRA CLAIM FEES

| | Total Claims | | Extra Claims | | Fee from below | | Fee Paid |
|-----------------------|--------------|-------|-----------------|---|-------------------|---|-------------|
| | 15 | -20** | = 0 | X | \$18 | = | \$0 |
| Independent Claims | 5 | -3** | = 2 | X | \$84 | = | \$168 |
| Multiple Dependent | | | | X | | = | |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description |
|----------------------|-----------------------|----------------------|-----------------------|---|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$168)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|--|-------------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | | | |

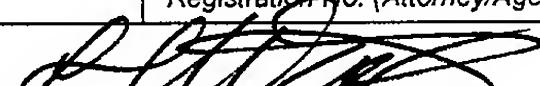
The Commissioner is authorized to charge any additional fees to
the above noted Deposit Account.

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$0)

SUBMITTED BY**Complete (if applicable)**

| | | | | | |
|-------------------|--|-----------------------------------|--------|-----------|-------------------|
| Name (Print/Type) | Hugh Wang | Registration No. (Attorney/Agent) | 47,163 | Telephone | 650-326-2400 |
| Signature |  | | | Date | December 12, 2001 |

WARNING: Information on this form may become public. Credit card information should not be
included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Fodor et al.

Application No.: Unassigned

Filed: Herewith

For: APPARATUS COMPRISING
POLYMERS (As Amended)

Examiner: Unassigned

Art Unit: Unassigned

COMMUNICATION UNDER
37 C.F.R. § 1.821(e)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In order to comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, 37 C.F.R. §§ 1.821-1.825, Applicants submit herewith the required paper copy of the Sequence Listing. Applicants request use of the acceptable computer-readable form filed in the parent Application No. 08/348,471 as the computer-readable form for the instant application, pursuant to 37 C.F.R. § 1.821(e).

It is understood that the Patent and Trademark Office will make the necessary changes in application number and filing date for the computer-readable form that will be used for the instant application. Applicants submit herewith a courtesy copy of the paper copy of the Sequence Listing as filed in the parent application. The courtesy copy is identical to the paper copy and computer readable copy of the sequence listing submitted in the parent application, and introduces no new matter.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400 x 5209.

Respectfully submitted,



Hugh Wang
Reg. No. 47,163

TOWNSEND and TOWNSEND and CREW LLP
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San Francisco, California 94111-3834
Tel: (650) 326-2400
Fax: (415) 576-0300
PA 3189409 v1

100144-1001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Fodor et al.

Application No.: Unassigned

Filed: Herewith

For: APPARATUS COMPRISING
POLYMERS (As Amended)

Examiner: Unassigned

Art Unit: Unassigned

**Request for Entry of Substitute
Specification under 37 CFR 1.125 (b)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

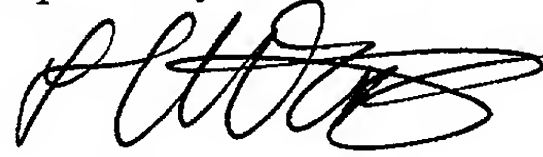
Pursuant to 37 CFR 1.125(b), Applicants submit herewith a Substitute Specification in order to facilitate prosecution of the subject application.

The subject application is a continuation of U.S. Application Serial No. 08/348,471, filed November 30, 1994, which is a continuation of U.S. application Ser. No. 07/805,727 (the '727 application), filed December 6, 1991, now Patent No. 5,424,186. A copy of the specification as originally filed in the '727 application is enclosed herewith. It is noted that numerous amendments have been made to the specification of the '727 application during prosecution of the above-mentioned two parent applications. To facilitate prosecution of the subject application, the Substitute Specification has incorporated those amendments into the original specification of the '727 application. Priority information has also been updated in the Substitute Specification.

It is hereby stated that the Substitute Specification does not introduce any new matter. A marked-up version of the Substitute Specification showing changes made to the original specification of the '727 application is also enclosed. Entry of the Substitute Specification is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400 x 5209.

Respectfully submitted,



Hugh Wang
Reg. No. 47,163

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